

SENATE BILL REPORT

SB 6363

As Reported by Senate Committee On:
Transportation, February 1, 2010

Title: An act relating to the enforcement of certain school or playground crosswalk violations.

Brief Description: Concerning the enforcement of certain school or playground crosswalk violations.

Sponsors: Senators Marr, King, Haugen, Brandland, Kauffman, Delvin, Eide, Shin and McAuliffe.

Brief History:

Committee Activity: Transportation: 1/26/10, 2/01/10 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 6363 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Becker, Benton, Berkey, Delvin, Eide, Hatfield, Jacobsen, Kastama, Kauffman, Kilmer, King, Ranker and Sheldon.

Staff: Wendy Malkin (786-7434)

Background: Local jurisdictions may create school or playground speed zones that have a speed limit of 20 mph. The speed zones must be on a road bordering a marked school or playground, and the zone may extend 300 feet from the border of the school or playground property.

It is unlawful to exceed 20 mph when passing a crosswalk that is properly marked with school or playground speed limit signs. The speed zone at such a crosswalk extends 300 feet in either direction of the crosswalk.

A person who commits a speed infraction in a school or playground speed zone receives twice the scheduled penalty for the infraction, and the penalty cannot be waived, reduced, or suspended.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Fifty percent of the money collected from speeding infractions in school and playground speed zones is deposited into the school zone safety account. Money in the account can be used only by the Traffic Safety Commission for projects to improve school zone safety, student transportation safety, and student safety in bus loading and unloading areas.

Summary of Bill (Recommended Substitute): A vehicle driver who commits an infraction by failing to stop for a pedestrian or bicyclist within a crosswalk that is marked with school or playground speed zone signs receives twice the scheduled penalty for the infraction. In addition, a vehicle driver in a school or playground speed zone receives twice the scheduled penalty if the driver commits an infraction by failing to exercise due care to avoid colliding with a pedestrian or failing to yield the right of way to a pedestrian or bicyclist on the sidewalk. The penalties for these infractions may not be waived, reduced, or suspended. Fifty percent of the money collected from the infractions is deposited into the school zone safety account.

School districts may erect signs informing motorists of the monetary penalties assessed for the school and playground speed zone infractions related to pedestrians and bicyclists.

Crossing guards who observe pedestrian or bicycle-related violations may prepare a written report to law enforcement. Crossing guards must be age 18 or older to prepare the written report. The report must include information about the violation and information to allow law enforcement to identify the violator. If the report is delivered to law enforcement, it must be delivered within 72 hours after the violation occurred. If a law enforcement officer is able to identify the driver and has reasonable cause to believe the infraction occurred, the officer may issue an infraction.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Substitute): Provision related to the age requirement for crossing guards to submit violation reports was added. Technical changes were made to reduce fiscal impact.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on July 1, 2010.

Staff Summary of Public Testimony on Original Bill: PRO: Drivers push the limits on a daily basis in terms of speeding in school zones and not yielding to pedestrians in school zone crosswalks. Crossing guards and students have been injured while in crosswalks and on sidewalks. We know that increasing fines, signage, and public education works to reduce violations. Legislation implemented to reduce violations for failure to stop for school bus paddles has made a huge difference. A survey of crossing guards in Washington shows that 84 percent of crossing guards experience safety issues. The same survey shows that crossing guards support the policy in this bill. Currently, crossing guards have nowhere to go to remedy safety issues or report violations. Programs through Office of Superintendent of Public Instruction (OSPI) and the Safe Routes to Schools Program will encourage students to

walk to school, and we need to protect the increased number of walkers. The Traffic Safety Commission has seen a huge change in behavior in response to signs and public education on speeding in school zones. The average speed through school zones has decreased from 28 mph to 23 mph.

OTHER: We would like to see a technical fix to make it easier for the courts to implement this bill.

Persons Testifying: PRO: Senator Marr, prime sponsor; Doug Nelson, Public School Employees/Service Employees International Union 1948; Linette Lasher, Public School Employees/Training Authority; April Hurlbert, Auburn School District; Allan J. Jones, OSPI; Steve Lind, Traffic Safety Commission.

OTHER: Mellani McAleenan, Administrative Office of the Courts.